IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA)				
	Plaintiff,) 8:08CR80)		
	vs.) DETENTION ORDER		
BR	AYLON C. HARDEMAN,			
	Defendant.	}		
A.	. Order For Detention After conducting a detention hearing pursuant to 18 U.S.C. § 3142(f) of the Bail Reform Act on March 17, 2008, the Court orders the above-named defendant detained pursuant to 18 U.S.C. § 3142(e) and (i).			
B.	 Statement Of Reasons For The Detention The Court orders the defendant's detention because it finds: X By a preponderance of the evidence that no condition or combination of conditions will reasonably assure the appearance of the defendant as required. X By clear and convincing evidence that no condition or combination of conditions will reasonably assure the safety of any other person or the community. 			
C.	contained in the Pretrial Services Report, X (1) Nature and circumstances of th X (a) The crime: a conspirate distribute "crack" cocain carries a minimum ser maximum of life imprisor intent to distribute "crack sentence of five years in forty years imprisonment (b) The offense is a crime of the company of the content of the company of the content	the offense charged: by to distribute and possess with intent to the (Count I) in violation of 21 U.S.C. § 846 and the entence of ten years imprisonment and a nament; the distribution and possession with the ck" cocaine (Count II) carries a minimum amprisonment and a maximum sentence of the entence of th		
	may affect whe The defendant X The defendant X The defendant The defendant i The defendant i Es. Past conduct of X The defendant The defendant The defendant The defendant The defendant The defendant	appears to have a mental condition which ther the defendant will appear. has no family ties in the area. has had no steady employment. has no substantial financial resources. s not a long time resident of the community. does not have any significant community of the defendant: has a history relating to drug abuse. has a history relating to alcohol abuse. has a significant prior criminal record. has a prior record of failure to appear at		

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	(b)	At the time of the current arre Probation	st, the defendant was on:
		Parole Release pending tria sentence.	II, sentence, appeal or completion of
	(c)	Other Factors:	
			an illegal alien and is subject to
		deportation. The defendant is a	a legal alien and will be subject to
		deportation if convict	ed.
		The Bureau of Imm (BICE) has placed a Other:	igration and Custom Enforcement detainer with the U.S. Marshal.
V	(4) The .	active and companies of the	and department of the defendant's
<u>X</u>	releas defen	se are as follows: The nature	ne danger posed by the defendant's of the charges in the Indictment, the g crimes of violence, the defendant's dant's drug abuse history.
Χ	(5) Rebu	ttable Presumptions	
	` In det	ermining that the defendant sho	ould be detained, the Court also relied
			on(s) contained in 18 U.S.C. § 3142(e)
		the Court finds the defendant That no condition or combi	nas not reputted. nation of conditions will reasonably
	(5.)	assure the appearance of the	defendant as required and the safety
			mmunity because the Court finds that
		the crime involves: (1) A crime of violen	ce. or
			which the maximum penalty is life
		imprisonment or	death; or
			stance violation which has a maximum
		penalty of 10 yea (4) A felony after the	e defendant had been convicted of two
			fenses described in (1) through (3)
			efendant has a prior conviction for one
			ntioned in (1) through (3) above which
			years old and which was committed ant was on pretrial release.
	X (b)		nation of conditions will reasonably
		assure the appearance of the	defendant as required and the safety
			ne Court finds that there is probable
		cause to believe: X (1) That the defen	dant has committed a controlled
			ion which has a maximum penalty of
		10 years or more).
			ant has committed an offense under 18
			uses or carries a firearm during and in rime of violence, including a crime of
			provides for an enhanced punishment
			the use of a deadly or dangerous
		weapon or devic	

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- The defendant be committed to the custody of the Attorney General for confinement in a corrections facility separate, to the extent practicable from persons awaiting or serving sentences or being held in custody pending appeal; and
- 2. The defendant be afforded reasonable opportunity for private consultation with counsel; and
- 3. That, on order of a court of the United States, or on request of an attorney for the government, the person in charge of the corrections facility in which the defendant is confined deliver the defendant to a United States Marshal for the purpose of an appearance in connection with a court proceeding.

DATED: March 18, 2008. BY THE COURT:

s/Thomas D. Thalken United States Magistrate Judge